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FISCAL IMPACT REPORT

ORIGINAL DATE 02/21/07

SPONSOR Cisneros LAST UPDATED _____ HB _____

SHORT TITLE Study Taos' Buffalo Pasture Water Resources SB 1165

ANALYST Weber

APPROPRIATION (dollars in thousands)

Appropriation		Recurring or Non-Rec	Fund Affected
FY07	FY08		
	\$500.0	Non-Recurring	General Fund

(Parenthesis () Indicate Expenditure Decreases)

SOURCES OF INFORMATION

LFC Files

Responses Received From

Indian Affairs Department (IAD)

Energy Minerals and Natural Resources Department (EMNRD)

Department of Game and Fish (DGF)

No Response Received From

Office of the State Engineer (OSE)

SUMMARY

Synopsis of Bill

Senate Bill 1165 appropriates \$500 thousand from the general fund to the Indian Affairs Department to study the ecology, water resources, geology and hydrology of Taos Pueblo's buffalo pasture.

FISCAL IMPLICATIONS

The appropriation of \$500 thousand contained in this bill is a non-recurring expense to the general fund. Any unexpended or unencumbered balance remaining at the end of Fiscal Year 2008 shall revert to the general fund.

Presumably the study would only need to be done once making the appropriation non-recurring.

SIGNIFICANT ISSUES

Game and Fish provides the following background information.

Significant issues relate to studying the natural systems associated with the Buffalo Pasture on Taos Pueblo property. According to New Mexico Office of the State Engineer documentation, dated January 11, 2006, the Buffalo Pasture is a large wetland located in and around the lower Rio Lucero, upstream from its confluence with the Rio Pueblo de Taos. The Buffalo Pasture is fed by the discharge of groundwater at numerous springs. A number of springs discharge groundwater in the upper Taos Valley within a few miles of the mountain front, where the water table is relatively shallow. The most significant of these springs are associated with the Buffalo Pasture on Taos Pueblo.

The Indian Affairs Department adds that the Taos Pueblo Buffalo Pasture is a sacred Pueblo wetland that is a source of water for Taos Pueblo and surrounding areas.¹ “The Buffalo Pasture is the natural wetland located to the north and west of the Pueblo’s traditional village area. This wetland is a critical Pueblo cultural resource on which its members have relied since time immemorial and which it continues to use for cultural and traditional purposes.”²

According to the New Mexico Office of the State Engineer, Draft Settlement Agreement for the Taos Pueblo Water Rights Settlement, the “[r]estoration, preservation, and protection of the Buffalo Pasture have been *central* negotiation goals [of the Taos Water Rights Settlement].”³ (Emphasis added).

The water table supporting the Taos Pueblo Buffalo Pasture has declined in recent years, a partial result of drought and increased ground water pumping. “The surface area of the Buffalo Pasture is said to have decreased, some springs have stopped flowing, and many shallow wells have failed.”⁴

OTHER SUBSTANTIVE ISSUES

The bill does not address the purpose of the report once produced.

MW/csd

¹ Taos Pueblo Water Rights Settlement Benefits, New Mexico Office of the State Engineer, Interstate Stream Commission, <<http://www.ose.state.nm.us/PDF/Settlements/Taos/TaosBenefits-2006-04-11.pdf>>

² Proposed Draft Abeyta Settlement Agreement, P. 24, <http://www.taospueblo.com/pdf/Abeyta_Settlement_Agreement_public_release-03_31_06_.pdf>

³ Taos Pueblo Water Rights Settlement, Summary of Settlement Provisions, New Mexico Office of the State Engineer, Interstate Stream Commission, P. 10, <<http://www.ose.state.nm.us/PDF/Settlements/Taos/TaosSummaryOfSettlementProvisions-2006-04-11.pdf>>

⁴ The Geology and Landscape of the Taos Region, Paul Bauer, New Mexico Bureau of Geology and Mineral Resources, P. 14, <http://geoinfo.nmt.edu/publications/decisionmakers/2005/DM_2005_Ch1.pdf>